

State of California
AIR RESOURCES BOARD

Executive Order S-19-013

**Withdrawing Ventura County 1-hour Ozone Plan Contingency Measures and
2007 Ozone Plan from the State Implementation Plan**

WHEREAS, the Legislature in Health and Safety Code section 39602 has designated the State Air Resources Board (CARB or Board) as the air pollution control agency for all purposes set forth in federal law;

WHEREAS, CARB is responsible for the preparation of the State Implementation Plan (SIP) for attaining and maintaining the national ambient air quality standards (NAAQS) as required by the federal Clean Air Act (the "Act"; 42 U.S.C. section 7401 et seq.), and to this end is directed by Health and Safety Code section 39602 to coordinate the activities of all local and regional air pollution control and air quality management districts (districts) necessary to comply with the Act;

WHEREAS, CARB has responsibility for ensuring that local air districts meet their responsibilities under the Act pursuant to sections 39002, 39500, 39602, and 41650 of the Health and Safety Code;

WHEREAS, CARB is authorized by section 39600 of the Health and Safety Code to do such acts as may be necessary for the proper execution of its powers and duties;

WHEREAS, sections 39515 and 39516 of the Health and Safety Code provide that any power, duty, purpose, function or jurisdiction of the Board may be delegated to the Board's Executive Officer as the Board deems appropriate;

WHEREAS, the local air districts have primary responsibility for the control of air pollution from non-vehicular sources and for adopting control measures, rules, and regulations to attain the NAAQS within their boundaries pursuant to sections 39002, 40000, 40001, 40701, 40702, and 41650 of the Health and Safety Code;

WHEREAS, the Ventura County Air Pollution Control District (District) was established pursuant to section 40002 of the Health and Safety Code as the air pollution control district responsible for carrying out these responsibilities in Ventura County;

WHEREAS, Ventura County was designated as nonattainment area with a classification of "severe-15" for the 1-hour ozone NAAQS;

WHEREAS, the Clean Air Act (Act) requires the District to attain the 1-hour ozone NAAQS by November 15, 2005;

WHEREAS, the Act requires 1-hour ozone State Implementation Plans (SIPs) to include air quality and emissions data, a control strategy, a modeled attainment demonstration, rate of progress milestones, conformity emission budgets, and contingency measures;

WHEREAS, the Ventura County 1994 Air Quality Management Plan (1-hour Ozone Plan) included air quality and emissions data, a control strategy, a modeled attainment demonstration, rate of progress milestones, conformity emission budgets, and contingency measures;

WHEREAS, following a public hearing on November 8, 1994, the District Board approved the 1-hour Ozone Plan;

WHEREAS, CARB adopted the 1-hour Ozone Plan on November 15, 1994 and transmitted it to U.S. EPA for inclusion in the California SIP;

WHEREAS, on January 8, 1997, U.S. EPA approved the 1-hour Ozone Plan except for the contingency measures;

WHEREAS, on May 27, 2009, U.S. EPA determined that Ventura County met the 1-hour ozone NAAQS by the attainment date;

WHEREAS, on July 18, 1997, U.S. Environmental Protection Agency (U.S. EPA) promulgated an 8-hour NAAQS for ozone of 80 parts per billion (ppb);

WHEREAS, U.S. EPA designated Ventura County as nonattainment for the 8-hour ozone NAAQS, with a classification of serious and an attainment date of June 15, 2013;

WHEREAS, the Act requires that 8-hour ozone nonattainment areas classified moderate or greater must include emission inventory, Reasonably Available Control Measures/Reasonably Available Control Technologies (RACM/RACT) demonstration, Reasonable Further Progress (RFP), RFP contingency measures, and transportation conformity budgets;

WHEREAS, the 2007 Ventura County Air Quality Management Plan (2007 Ozone Plan) included the applicable Act requirements: an emission inventory, RACM/RACT demonstration, RFP, RFP contingency, and transportation conformity budgets;

WHEREAS, following a public hearing on May 13, 2008, the District Board approved the 2007 Ozone Plan;

WHEREAS, CARB adopted the 2007 Ozone Plan on June 26, 2008 and transmitted it to U.S. EPA on June 27, 2008 for inclusion in the California SIP;

WHEREAS, U.S. EPA's revocation of the 2007 8-hour ozone NAAQS eliminates the requirement for California to submit an emissions inventory and an emissions statement rule for these NAAQS in Ventura County;


WHEREAS, on December 3, 2012, U.S. EPA's clean data determination for Ventura County suspended the remaining anti-backsliding requirements for these NAAQS in the area for so long as the area continues to meet the 2007 8-hour ozone NAAQS;

WHEREAS, on June 20, 2019, U.S. EPA notified the District and CARB that the 1-hour Ozone Plan contingency measures and 2007 Ozone Plan are no longer needed and should be withdrawn with no adverse consequences; and

WHEREAS, on August 7, 2019, the District requested that CARB withdrawal the 1-hour Ozone Plan contingency measures and 2007 Ozone Plan as these submittals are not needed.

NOW, THEREFORE, IT IS ORDERED that the California Air Resources Board hereby requests U.S. EPA withdraw the 1-hour Ozone Plan contingency measures and 2007 Ozone Plan from the California SIP.

Executed this 12th day of September at Sacramento, California.


Richard W. Corey
Executive Officer